

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
Waconia from Waconia Township
(MBAU Docket OA-1824-1)

**ORDER APPROVING
ANNEXATION**

City of Waconia Resolution No. 2022-61/Township of Waconia Resolution No. 1-24-2022 (Joint Resolution) was adopted by the City of Waconia (City) on February 22, 2022, and Waconia Township (Township) on January 24, 2022, requesting the designation and immediate annexation of the certain real property (Property) legally described as follows:

That part of the South Half of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota, which lies westerly of the following described line:

Commencing at the southeast corner of said Northeast Quarter; thence South 89 degrees 29 minutes 02 seconds West, along the south line of said Northeast Quarter, a distance of 1495.23 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East a distance of 1293.66 feet, more or less, to the south line of said north 26.40 feet of the South Half of the Northeast Quarter and there terminating.

Excepting therefrom the following described tracts:

Tract 1:

Beginning at the center of said Section 22, running thence east on the east and west quarter line of said Section about 2005 feet to the intersection of said Waconia and New Germany Road with said quarter line; running thence north one rod; running thence west parallel with said quarter line to the north and south quarter line of said section, running thence south one rod to the place of beginning, as recorded in Book 26 of Deeds, page 131, Carver County, Minnesota.

Tract 2:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota lying northwesterly of a line "A" described below, and lying southwesterly of a line 40.00 feet southwesterly of (as measured radially to and parallel with) the following described line:

Commencing at the northwest corner of said Northeast Quarter of Section 22,

thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet to the point of beginning; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds, a distance of 655.14 feet to the point of beginning; thence southwesterly to the southwest corner of the Northeast Quarter of Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

Tract 3:

That part of the Northeast Quarter of Section 22, Township 116, Range 25, Carver County, Minnesota lying southeasterly of a line "A" described below, and lying southwesterly of a line 40.00 feet southwesterly of (as measured radially to and parallel with) the following described line:

Commencing at the northwest corner of said Northeast Quarter of Section 22, thence south along the west line of said Northeast quarter, a distance of 1815.92 feet to the point of beginning; thence Southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the southwest corner of said Northeast Quarter and there terminating.

Line "A" being described as follows; Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter, a distance of 1815.92 feet; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 45 degrees 51 minutes 36 seconds a distance of 655.14 feet to the point of beginning; thence southwesterly to the southwest corner of the Northeast Quarter of said Section 22 and there terminating.

Together with and subject to a 33.0 foot highway easement, the centerline of said easement is Line "A" above described, per District Court Co. No. 16073.

Tract 4:

That part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116 North, Range 25 West Carver County, Minnesota, lying northeasterly of the line 40.00 feet northeasterly of (as measured radially to and

parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence south along the west line of said Northeast Quarter a distance of 1815.92 feet to a point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the south line of said Northeast Quarter, distant 832.75 feet easterly of the Southwest corner of said Northeast Quarter, and said line there terminating, said line being the Northeasterly right-of-way line of Carver County Highway No. 32.

Tract 5:

That part of the West Half of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Carver County, Minnesota lying easterly of and adjoining existing right-of-way as occupied by County State Aid Highway 10, also Known as Waconia Parkway South), northerly of and adjoining the Warren land as described in Warranty Deed Document No. 606693; as that part of the West 541 feet of the South 353 feet of the Northeast Quarter of Section 22, Township 116 North, Range 25 West, Carver County, Minnesota, lying northeasterly of a line 40.00 feet northeasterly of (as measured radially to and parallel with) the following described line: Commencing at the northwest corner of said Northeast Quarter of Section 22; thence South along the West line of said Northeast Quarter a distance of 1815.92 feet to the point of beginning of the line to be described; thence southeasterly on a tangential curve, concave to the northeast having a radius of 818.51 feet, a central angle of 90 degrees 59 minutes 18 seconds, a distance of 1299.83 feet to a point on the South line of said Northeast Quarter, distance 832.75 feet easterly of the Southwest corner of said Northeast Quarter and said line there terminating, said line being the Northeasterly right-of-way line of Carver County Highway No. 32, Carver County Records and westerly of the hereinafter described Line 1:

Line 1:

Commencing at the northwest corner of said Northeast Quarter of said Section 22; thence North 88 degrees 57 minutes 26 seconds East along the north line of said Section 22 a distance of 50.02 feet to the Point of Beginning of Line 1; thence South 00 degrees 29 minutes 42 seconds West, a distance of 185.38 feet; thence South 86 degrees 07 minutes 08 seconds West, a distance of 10.76 feet; thence South 03 degrees 52 minutes 52 seconds East a distance of 177.14 feet; thence southeasterly a distance of 372.00 feet along the arc of a tangential curve, concave westerly, having a radius of 7,714.44 feet and central angle of 02 degrees 45 minutes 45 seconds; thence South 09 degrees 32 minutes 04 seconds East, a distance of 247.32 feet; thence South 00 degrees 27 minutes 56 seconds West an distance of 86.57 feet; thence South 10 degrees 27 minutes 56 seconds West a distance of 172.76 feet; thence South 00 degrees 27 minutes 56 seconds West a distance of 560.35 feet; thence Southeasterly a distance of 178.76 feet along the arc of a non-tangential curve, concave northeasterly, having a radius of 450.00 feet, a central angle of 22 degrees 45 minutes 37 seconds and chord bearing South 22 degrees 33 minutes 05 seconds East a distance of 177.59 feet; thence South

71 degrees 8 minutes 31 seconds East a distance of 98.29 feet; thence southeasterly a distance of 186.64 feet along the arc of a tangential curve, concave southwesterly, having a radius of 150.00 feet and a central angle of 71 degrees 17 minutes 34 seconds; thence South 0 degrees 30 minutes 58 seconds East a distance of 165.00 feet and said Line 1 there terminating.

(Abstract Property)


Also excepting that part of said South Half of the Northeast Quarter of Section 22 lying within the existing right-of-way as occupied by County State Aid Highway 10, also known as Waconia Parkway South and excepting that land previously annexed by the City of Waconia.

Based upon a review of the Joint Resolution, the Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325 (2020), the Joint Resolution is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution and this Order, the Property is **ANNEXED** to the City.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2020), no reimbursement shall be made by the City to the Township in accordance with the terms of the Joint Resolution.

Dated: March 24, 2022


JESSICA A. PALMER-DENIG
Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2020). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Carver County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2021). However, no request for amendment shall extend the time of appeal from this Order.